

Xerox Docket No. D/98140
Application No. 09/223,016

C1
Counsel

a playback system for replaying an indexed recording that allows simultaneous recording of an activity while replaying an indexed recording.

C2
F1
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10. (Three Times Amended) A method of using structured representations to represent recordings of activity, comprising the steps of:

- indexing recordings of activity based on a user input;
- storing at least one index;
- selecting at least one item of the at least one index based on a user input;
- recording an activity;
- associating the selected at least one item with the recorded activity; and
- replaying an indexed recording with a playback system while simultaneously recording an activity.

REMARKS

Claims 1-4, 6-13 and 15-21 are pending. By this Amendment, claims 1 and 10 are amended. No new matter is added. Reconsideration based on the above amendments and following remarks is respectfully requested.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

The Applicants wish to thank the Examiner for the courtesies extended to the Applicants' representative during the personal interview conducted March 19, 2003. The substance of the interview is incorporated herein.

I. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1, 2, 4, 6, 8-11, 13, 15 and 17-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,613,032 to Cruz et al. in view of U.S. Patent No. 5,701,383 to Russo et al. This rejection is respectfully traversed.

Xerox Docket No. D/98140
Application No. 09/223,016

By this Amendment, claim 1 has been amended in accordance with the Examiner's suggestion, to recite "an indexing device that indexes recordings of activity based on a user input." Independent claim 10 has also been amended in accordance with the Examiner's suggestions to recite "indexing recordings of activity based on a user input." As agreed during the personal interview, neither Cruz nor Russo disclose the above claimed features.

In contrast, the Office Action asserts that Cruz discloses an object description file that stores at least one index; a user input device that selects at least one item from the at least one index; an association device that associates the selected at least one item with recording of an activity; and a recording system that records an activity and the index selected, based on the user input. However, Cruz fails disclose the above recited claim features of newly amended claims 1 and 10.

Russo fails to overcome the deficiencies of Cruz, as Russo merely discloses a video time-shifting system that allows the user to produce a time-shifted version of an incoming video program. Neither Cruz nor Russo, either alone or in combination, disclose each and every feature of the claimed invention and cannot be used to sustain a rejection for obviousness under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 1 and 10 is respectfully requested.

Claims 2, 4, 6, 8, 9, 11, 13, 15 and 17-21 are dependent on allowable claims 1 and 10, respectively, and are therefore allowable for at least the reasons discussed above, as well as for the additional features recited therein. Withdrawal of the rejection of claims 2, 4, 6, 8, 9, 11, 13, 15, and 17-21 is respectfully requested.

The Office Action rejects claims 3, 7, 12 and 16 under 35 U.S.C. §103(a) as being unpatentable over Cruz in view of Russo and further in view of U.S. Patent No. 6,052,508 to Mincy et al. This rejection is respectfully traversed.

Xerox Docket No. D/98140
Application No. 09/223,016

Claims 3, 7, 12 and 16 are dependent on allowable claims 1 and 10, respectively, and are therefore allowable for at least the reasons discussed above, as well as for the additional features recited therein. Withdrawal of the rejection of claims 3, 7, 12 and 16 is respectfully requested.

II. Conclusion

For the foregoing reasons, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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Docket No. 100126

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Xerox Reference No.: D/98140

APPENDIX

Changes to Claims:

The following are marked-up versions of the amended claims:

1. (~~Twice~~Three Times Amended) A system that uses structured representations to index recordings of activity comprising:
 - an indexing device that indexes recordings of activity based on a user input;
 - an object description file that stores at least one index;
 - a user input device that selects at least one item of the at least one index based on a user input;
 - an association device that associates the selected at least one item with a recording of an activity; and
 - a playback system for replaying an indexed recording that allows simultaneous recording of an activity while replaying an indexed recording.
10. (~~Twice~~Three Times Amended) A method of using structured representations to represent recordings of activity, comprising the steps of:
 - indexing recordings of activity based on a user input;
 - storing at least one index;
 - selecting at least one item of the at least one index based on a user input;
 - recording an activity;
 - associating the selected at least one item with the recorded activity; and
 - replaying an indexed recording with a playback system while simultaneously recording an activity.